United Nations S/2001/443

Security Council

Distr.: General
7 May 2001

Original: English

Letter dated 5 May 2001 from the Permanent Representative of Yugoslavia to the United Nations addressed to the President of the Security Council

I have the honour to forward, enclosed herewith, a copy of the resolution on the situation in Kosovo and Metohija and the position of the Serbian people and members of other non-Albanian communities adopted by the National Assembly of the Yugoslav constituent Republic of Serbia on 4 May 2001 (see annex).

I should be grateful if you would have the text of the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Dejan **Sahović**
Ambassador
Permanent Representative

01-36180 (E) 070501

Annex to the letter dated 5 May 2001 from the Permanent Representative of Yugoslavia to the United Nations addressed to the President of the Security Council

Pursuant to article 127 of the Rules of Procedure of the National Assembly of the Republic of Serbia (*Official Journal of the Republic of Serbia* No. 18/2001),

The National Assembly of the Republic of Serbia, at the third meeting of its first regular session in 2001, held on 4 May 2001, adopted the following:

Resolution on the situation in Kosovo and Metohija and the position of the Serbian people and members of other non-Albanian communities

The National Assembly of the Republic of Serbia expresses its deep concern over the situation in Kosovo and Metohija and the position of the Serbian people and other non-Albanian communities. Two years after the establishment of civil and security presences, the security situation in the province is becoming increasingly serious. The return of expelled persons, as required by the international community in United Nations Security Council resolution 1244 (1999), is more uncertain than ever. The life of the remaining Kosovo and Metohija Serbs and of members of other non-Albanian communities is totally uncertain and risky on a daily basis. International representatives are working more for the adoption of regulations on interim self-governance rather than on ensuring safety and security for the population. Terrorism in Kosovo and Metohija has not been prevented but has instead entered an even more radical phase. Organized murders of people and attacks on Government representatives are becoming more frequent. Murders of representatives of moderate political factions among Kosovo Albanians are occurring more and more frequently. During the course of 2001 alone, according to the information available so far, 94 people (61 Albanians, 26 Serbs, 6 Roma and 1 Muslim) have been killed; 363 (210 Albanians, 135 Serbs, 9 Roma and 9 Muslims) have been wounded; 29 persons (25 Albanians and 4 Serbs) have been abducted; and 91 houses (67 belonging to Serbs and 23 belonging to Albanians and 1 to a Roma) have been set on fire.

The National Assembly of the Republic of Serbia demands that the United Nations Interim Administration Mission in Kosovo (UNMIK) administration carry out an investigation within a month in order to shed light on the fate of all abducted and missing persons and that, after the expiry of that deadline, it inform the families of the abducted and missing persons as well as the public at large about the results of the investigation, which is both its international and its moral obligation.

The National Assembly of the Republic of Serbia appeals to all international institutions concerned with protection of human rights to intensify their efforts aimed at elucidating the fate of 1,300 abducted and missing Serbs and members of other non-Albanian communities from Kosovo and Metohija.

The establishment of customs points at the administrative boundary of Kosovo and Metohija with central Serbia is giving cause for added concern among citizens. This is yet another act on the part of the UNMIK mission in Kosovo in violation of

resolution 1244 (1999). People are organizing themselves in an attempt to prevent the operation of these illegal customs points. The explanations provided by UNMIK to the representatives of the Serbian Government are contradictory in nature. They are talking about collection of sales taxes and VAT; nevertheless no such practices have been introduced in such a manner anywhere in the world. Even fiscal policies in Kosovo and Metohija should be pursued in consultation with the Yugoslav authorities and carried out by standard methods. However, in doing so, they are exerting an adverse impact on the security situation and imposing double taxation on natural and legal persons. We extend our full support to the resistance of the population to this gross misconduct in breach of Yugoslav customs laws and tax legislation of the Republic of Serbia.

A particular problem is being posed by the elaboration of a "legal framework for provisional self-government for Kosovo". The basic text of the document as prepared by UNMIK does not provide even minimum guarantees for the protection of the rights of Serbs and other non-Albanian communities.

Under Security Council resolution 1244 (1999), the international community has assumed full responsibility for safeguarding the sovereignty and territorial integrity of the Federal Republic of Yugoslavia and for its implementation in its entirety. Therefore, we demand that the United Nations take unconditional specific measures to implement the resolution fully, primarily to ensure the safety and equality of all the population of Kosovo and Metohija as a fundamental precondition for the return of expelled people and for the exercise of their basic human rights.

It is unacceptable to adopt any "legal framework" for the establishment of the so-called autonomy, which is indeed an obligation under paragraph 10 of the resolution, nor is it acceptable to contemplate the holding of any elections in Kosovo and Metohija without fulfilling prior to them all obligations stemming from paragraph 9 of the resolution, and particularly the obligations envisaged in subparagraphs (a) to (d) relating to full demilitarization of the so-called Kosovo Liberation Army and other armed groups, as well as regarding the establishment of a safe environment in which displaced persons could return to their homes, in conditions of full public safety and order.

The National Assembly of the Republic of Serbia demands that all authorities, bodies and officials of the international community strictly abide by Security Council resolution 1244 (1999), and in particular that the working group on the elaboration "of the legal framework for provisional self-government for Kosovo" adopt amendments submitted by the Serbian side ensuring the maintenance of a multi-ethnic Kosovo and Metohija within the Republic of Serbia and the Federal Republic of Yugoslavia, guaranteeing the rights of ethnic communities and the establishment of an interim system of a consensual democracy in which national and ethnic differences have been institutionally safeguarded as well as their rights and special interests.

The National Assembly deems unacceptable human rights violations, the process of overruling one side and attribution of State prerogatives to Kosovo and Metohija.

Belgrade, 4 May 2001

National Assembly of Serbia

President
(*Signed*) Dragan **Marsicanin**